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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
5 SAN JOSE DIVISION  
6

7 SPACE DATA CORPORATION,  
8 Plaintiff,  
9 v.  
10 ALPHABET INC., et al.,  
11 Defendants.

Case No. [16-cv-03260-BLF](#)

**ORDER REGARDING JUDGMENT OF  
NON-INFRINGEMENT**

12 On May 9, 2019, this Court granted in part and denied in part Defendants Alphabet Inc.,  
13 Google LLC, and Loon LLC's (collectively, "Google") motion for summary judgment. ECF 524.  
14 The Order granted Google's motion for summary judgment of non-infringement of U.S. Patent  
15 No. 9,678,193. *See Id.* at 8–12, 21. On September 10, 2019, the parties filed a Stipulation and  
16 [Proposed] Order RE Dismissal, voluntarily dismissing all of Space Data Corporation's ("Space  
17 data") claims with prejudice except "for Space Data's claim for infringement of U.S. Patent No.  
18 9,678,193 ("the '193 patent"), as to which claim Space Data reserves its right to appeal." ECF  
19 655. The stipulation also dismissed all of Google's counterclaims without prejudice. *Id.* The  
20 Court approved the parties' stipulation regarding dismissal. ECF 656. The Court notes that if the  
21 parties intend judgment to issue as to Space Data's claim for infringement of the '193 patent, for  
22 which the Court granted summary judgment of non-infringement (ECF 524), the parties must  
23 prepare and submit a proposed judgment.

24 **IT IS SO ORDERED.**

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26 Dated: September 10, 2019



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28 BETH LABSON FREEMAN  
United States District Judge